IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 606 (MS) OF 2005

Jal Vigyan Anusandhan Karamchari Union Bahadrabad, District-Haridwar, through its Secretary Sri Paltu Ram.

.....Petitioner.

Versus

Registrar, Trade Union, P.O. Box 220, Kanpur, Uttar Pradesh.

.....Respondents.

Dated: 15.05.2006

Hon'ble Rajesh Tandon, J.

Heard Sri Pankaj Miglani, Advocate for the petitioner.

By the present writ petition, the petitioner has prayed for cancellation of the order dated 21st July, 2004 passed by the Trade Union, Uttar Pradesh, Kanpur.

Briefly stated, the petitioner union was formed and was registered with the Registrar Trade Unions, Uttar Pradesh, Kanpur on 28.02.1969 and its registered office is at Bahadrabad and at the relecant time, Badrabad was within the District of Saharanpur in the erstwhile Sate of Uttar Pradesh. Later on around the year, 1989 District Haridwar was formed and Bahadrabad fell into District Haridwar. Thereafter on the appointed day i.e. on 09.11.2000 the District Haridwar fell within the area of newly formed State of Uttaranchal and as such the petitioner has submitted that all the matters pertaining to the Trade Unions situated within the area of Uttaranchal came within the jurisdiction of Registrar, Trade Unions, Uttaranchal, Dehradun, therefore, by virtue of U.P. Reorganization Act the respondent i.e. Registrar Trade Union

has no jurisdiction with regard to the Trade Unions that were situated within the jurisdiction of State of Uttaranchal.

Petitioner has submitted that on 19.04.2005, he received an order-dated 21.07.2004 passed by the respondent, whereby the certificate issued to the petitioner Trade Union was cancelled.

Petitioner has submitted that the order has been passed on 21st July, 2004 and as such on that date, he had no jurisdiction to pass the order.

Looking to the grievances of the petitioner, he is permitted to file a representation before the authority concerned within a period of two weeks and if such a representation is filed, the same shall be disposed of within a period of two weeks thereafter.

Writ petition is disposed of accordingly. No order as to costs.

(Rajesh Tandon, J.)

15.05.2006
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